UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,111	11/25/2003	Hyun-Jung Kim	45958	4491

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ART UNIT	PAPER NUMBER
2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/720,111	KIM, HYUN-JUNG
	Examiner	Art Unit	
	John M. Frink	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 November 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1.   ·   Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ahn (KR 2002058347) in view of Lee (KR 2001019998), further in view of Pyo (KR

2002011547) and Marjamaki et al. (US 2003/0139141 A1), hereafter Marjamaki. ·

Ahn discloses a method and apparatus for updating identifier (ID) information of

a Node-B, and resetting a UMTS radio manager (URM) system using the updated ID

information of the Node-B in the URM system which manages the Node-B and a

predetermined number of radio network controllers (RNCs) each containing a source

RNC, said method comprising: a) using the URM system to create a processor loading

data (PLD) of the Node-B that can be changed, and transmitting the created PLD to the

Node-B and the RNCs each of which is associated the source RNC requiring the

created PLD (Abstract, Purpose of Invention).

Ahn further discloses operating the Node-B and RNCs having received the

creating PLD to update a previously stored PLD according to the received PLD

(Abstract).

Ahn does not disclose resetting the Node-Bs and the RNCs upon receipt of the

updated PLD, nor does Ahn show where the created PLD is in a form of an extension specification file (ESF).

Lee discloses well as resetting control stations (representing the claimed 'RNC') after the receipt of said PLD (Abstract, pg. 2 P15 – 17, pg. 3, P15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Ahn with that of Lee in order to ensure the RNCs are updated properly (by performing said reset) as well as to provide for a simple, non-disruptive way of increasing or decreasing the number of Node-Bs/base stations through a PLD update, which is further simplified through the use of a template structure for said PLD (Lee, Abstract).

Ahn in view of Lee do not disclose resetting said Node-Bs after the update.

Marjamaki discloses resetting the Node-B after an update ([0031]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Ahn in view of Lee with that of Marjamaki in order to provide for a method of resetting updated the Node-B/base stations after an update, which can be a required step in a successful update (Marjamaki, Abstract, [0031]).

Ahn in view of Lee and Marjamaki do not explicitly disclose using an EFS, wherein the ESF stores data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD.

Pyo shows using ESFs, including where the ESF stores data to be updated in relation to received hardware format information and data associated with the data that

is different between the old PLD and the updated PLD (Abstract, pg. 2 'The Purpose of Invention' section, paragraphs 2 and 5 – 10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Ahn in view of Lee and Marjamaki with that of Pyo in order to clearly specify the information being updated, as well as to provide a way to revert to the state before updating should a problem occur (Pyo pg. 2 'The Purpose of Invention' section, paragraph 8).

2.   Claims 2, 3, 4, 7, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn in view of Lee, Marjamaki and Pyo as applied to claim 1 above, and further in view of Wallentin (US 2006/0234706 A1).

3.   Regarding claims 2 and 7, Ahn in view of Lee, Marjamaki and Pyo show claims 1 and 6, including utilizing PLD to update RNCs and Node-Bs (Ahn, Abstract, Purpose of Invention; Lee, Abstract, pg. 2 P10 and P16-17, pg. 3 P12-15; Marjamaki, [0031] and Pyo, pg. 2 P5-10).

Ahn in view of Lee, Marjamaki and Pyo do not explicity show where the Node-B and the RNCs to transmit a response to a PLD reception operation in the URM system after the node-B and the RNCs have received the created PLD.

Wallentin shows a Node-B ([0091]) and RNCs transmitting a response ([0019-0021, 0066-0068, 0091-0095]) after receiving an update (specifically when said response is a RESET ACKNOWLEDGE message [0019]).

Ahn in view of Lee, Marjamaki, Pyo and Wallentin thus disclose the method as set forth in claim 1, further comprising: d) operating the Node-B and the RNCs to

transmit a response to a PLD reception operation in the URM system after the node-B and the RNCs have received the created PLD.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Ahn in view of Lee, Marjamaki and Pyo with that of Wallentin in order to provide for a method of acknowledging the reception of update messages, specifically from Node-Bs and RNCs, providing for update verification and thus improved system reliability.

4.   Regarding claim 3, Ahn in view of Lee, Marjamaki, Pyo and Wallentin further show resetting the Node-B (Majamaki, [0031]) using the updated PLD (Ahn, Abstract, The Structure and Function of the Invention), and then resetting the RNCs (Lee, Abstract, pg. 3 P1-7, P15; Wallentin [0019-0021,0066-0068,0091-0095]) using the updated PLD (Ahn, Abstract, The Structure and Function of the Invention and Pyo, Abstract).

5.   Regarding claim 8, Ahn in view of Lee, Marjamaki, Pyo and Wallentin further show wherein the RNCs reset the Node-B (Wallentin, Fig. 2 – 4A showing the RNCs and Node-B/base stations operating and exchanging messages, specifically in 4A the Node-B/base station being responsive to a 'CONNECTION RELEASE MESSAGE' from said RNC, thus teaching Node-B's/base stations being responsive to messages from RNCs) using the updated PLD (Ahn, Abstract, The Structure and Function of the Invention, Pyo, Abstract), and then reset the system using the updated PLD (where Wallentin's discloses resetting all needed elements [0037,0066-0068,0093-0095] as well as acknowledging via a RESET ACKNOWLEDGE message [0019-0021]).

6. Regarding claims 4 and 9, Ahn in view of Lee, Marjamaki, Pyo and Wallentin further show operating the Node-B and the RNCs to reset the system using the updated PLD (Ahn, Abstract, The Structure and Function of the Invention, Pyo, Abstract) and informing the URM system of a reset completion state of the URM system using the updated PLD (where Wallentin's discloses resetting all needed elements [0037,0066-0068,0093-0095] as well as acknowledging via a RESET ACKNOWLEDGE message [0019-0021]).

7. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn in view of Lee, Marjamaki, Pyo and Wallentin as applied to claims 2, 3, 4, 7, 8 and 9 above, and further in view of Kim (KR 2001045784).

Ahn in view of Lee, Marjamaki, Pyo and Wallentin further show where multiple files are considered when determining what data has changed when performing an efficient update (Takaya, Abstract).

Ahn in view of Lee, Marjamaki, Pyo and Wallentin do not show wherein the created PLD contains information associated with changed data from among a plurality of PLDs stored in the Node-B and the RNCs.

Kim shows wherein the created PLD contains information associated with changed data from among a plurality of PLDs (Abstract, pg.2 P4-8 and pg. 3 P1-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Ahn in view of Lee, Marjamaki, Pyo and Wallentin with that of Kim in order to utilize an improved updating procedure, specifically regarding improving the handling and usage of said PLD (Kim, Abstract).

Ahn in view of Lee, Marjamaki, Pyo, Wallentin and Kim thus disclose the method

as set forth in claim 1, wherein the created PLD contains information associated with

changed data from among a plurality of PLDs stored in the Node-B and the RNCs.

Response to Arguments

2.   Applicant's arguments filed 11/09/2007 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571) 272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ANDREW CALDWELL
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